

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL TPS ALLIANCE, et al.,

Plaintiffs,

v.

KRISTI NOEM, et al.,

Defendants.

Case No. [25-cv-05687-TLT](#) (SK)

**ORDER REGARDING  
CLARIFICATION**

Regarding Docket No. 157

Plaintiffs requested that the Court clarify the scope of its Order regarding documents Defendants have withheld on the basis of privilege. Defendants have repeatedly broadly claimed the deliberative process privilege applied, both in this case and in *National TPS Alliance v. Noem*, No. 25-cv-01766-EMC. The Court reviewed a sample of the most recent batch of documents Defendants withheld based on the deliberative process privilege and again found that no documents should be withheld on that basis. (Dkt. No. 155.) That Order should not have been surprising to any party because it was in line with what the Court has previously ordered. At no point has the Court determined that any document may actually be withheld based on the deliberative process privilege. The Court notes that the parties' oppositions to the motions for summary judgment are due by October 28, 2025 and, thus, Plaintiffs need for the remaining documents Defendants have withheld is time sensitive. Accordingly, the Court GRANTS Plaintiffs' request for the Court to clarify the scope of its Order. The Court HEREBY clarifies that by no later than October 22, 2025, Defendants shall produce the remaining documents they

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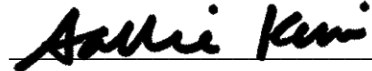
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1 have withheld on the basis of the deliberative process privilege, along with the documents or  
2 portions of documents that were provided *in camera* and the Court ordered may not be withheld.

3 **IT IS SO ORDERED.**

4 Dated: October 21, 2025

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6 SALLIE KIM  
7 United States Magistrate Judge  
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